

Papers on Joyce 1 (1995):

“The Pilsener Had the Baar”: HCE’s Sorry Case

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What follows will zoom from the Joycean legal macro-context to the focal moment in the trial of the PUBLIC man, from thematology to the sensuous exposure, the flashing of the public persona’s languaging of guilt.

The law pops up in the funniest places in *Ulysses*: Poor Denis Breen, depressed by a post card bearing the elevating letters “U. P.” spends his day in quest of legal aid; the symbols of crime and punishment abound in “Cyclops” or rather in Barney Kiernan’s pub, a litigant’s watering place close by the courts. That episode could even be described as the trial and conviction of Bloom for the sin of difference and the egregious failure to buy a round of drinks for his parched accusers. Apart from numerous references to legal proceedings, three and a half pages (251-55) are given over to the longest of the parodic asides, the festive execution presided over by the barber Rumbold. Formally, “Cyclops” is a dress rehearsal both for the wall to wall pastiches of “Oxen of the Sun,” and for the carnival magic of “Circe” which features Bloom’s “hallucinated” trial and incineration. Shadowed as it is by madness, zany fanaticism and hallucination, the legal business of *Ulysses* is a fitting prelude to the proliferating crime and judgement allusions wrapped in the nightmarish irreverent jargon of *Finnegans Wake*.

I maintain that we apprehend in literature and in life only that which fits into a recognizable conceptual pattern. Since the *Wake* imitates the complexities of the vital substance of perception better than any work I know, it is no surprise that perceptual patterns proliferate and that, once brought into focus, the legal dimensions become as inescapable as the blueberries beaming through the foliage of a sunlit field on a summer’s day in Maine. I have argued elsewhere and maintain here that the *Wake*’s action can be assigned to twinned and interlocking male and female plots.¹ ALP’s situation as wife and mother obliges her to exculpate her erring mate, and her largely silenced presence overshadows the production and delivery of the Word: her “mamafesta.” In legal terms, her statement, transcribed or bowdlerized by Shem, delivered or misdelivered by Shaun, is a plea for her husband just as *Finnegans Wake* is Joyce’s brief for humanity.

In the night world infused with dark female substance and written in a muddy amniotic ink, man sins, accuses and falls, woman tempts, defends and endures. Since the law is the paradigmatic mechanism for the regulation of a society prone to lapse into disorder (however paradoxical that might in practice seem to be), legal proceedings properly belong to the Day. It is appropriate, therefore, that the legal dimension finds its most overt expression in the male plot, which is after all concerned with HCE’s alleged crime and its aftermath or rather with the avatars of HCE and his crime and punishment. As in *Ulysses*, the law seems chained to the shadowy and the shabby, making its appearance in chapters where the irrational reigns. Make of that what you will. From here on I shall focus on Joyce’s comic nightmare of crime and punishment, checking judgement at the gate to Dublin’s Phoenix park, Joyce’s Eden.

We can trace both the primal crime and its exculpation back to a root source in Joyce's notebook VI.B.3, where it seems a simple enough affair: in an early instance of characteristic wakean obfuscation, accusations of homosexuality are countered by allegations of voyeuristic, exhibitionist and perhaps incestuous behavior. We are even told that the proto-HCE or Pop, the father of a young girl named Is, was at some point apprehended: "It is not true that Pop Was [*sic*] homosexual he had been arrested at the request of some nursemaids to whom he had temporarily exposed himself in the Temple gardens" (3.153).² With such a defender, who needs accusers? Still, there it is, almost all of it, the plot of an off-color Victorian melodrama and the stimulus for what soon became the tale of a "muddlecrass" male pubkeeper fallen into a dream morass of polymorphous perversity, revealing himself to himself in the dark night of his conventional soul. This is the catastrophe, primal in its implications, through which the reader is coaxed toward an ambiguous redemption by the verbal dynamic of the *Wake*. If I simplify, it is only so that we may more readily spot the scant blueberries clustered on the branches that painfully grew from this unpromising root. (Though perhaps this root tale is no less promising than the one about the lady who, on the advice of counsel, stole a penny pippin and got her man in trouble with the tree's owner. The parallel is a powerful one. In the *Wake*, woman is absented from the practice and the scene of justice, her medium being gossip. On the other hand the whole novel is situated in the female element and dominated by the unglued language or babble of the night. This is flattering neither to woman nor to the law, but...).

Given the legal implications of HCE's crime, it is no surprise to find both the law and the legal system well-represented, though carnivalized, in the text. Their presence is pervasive enough to merit being traced in micro-detail. Indeed, we could delineate a fully developed legal nodal system deriving from the initial statement of the crime in chapter I.2, centered about the trial and conviction of HCE by his gossiping pub clients in II.3. Secondary nodal statements occur in chapter I.4 with its legal inquiry into the circumstances surrounding the disappearance of HCE (presided over by the four judge/historians) and in III.3 where Mamalujo conduct their inquest over the supine body of Shaun/Yawn, extracting from his psyche the voice of the city founder and his magnificently pompous testimony/testimonial. There is even a powerful third level, a legalistic leitmotif consisting of strings of words ending in "tion". However, a full interrogation of this system and its ramifications would take us far afield. Instead, I propose to concentrate on chapter II.3 and eventually to analyze the discursive procedures in one of my favorite passages: HCE's inept attempt to exculpate himself before a jury of twelve pub clients and the usual quartet of judges.

First, let's set the stage for the legal proceedings or rather outline the legal component of what is perhaps the most complex narrative development and certainly the most complicated chapter in the *Wake*. I should note that II.3 was both the first and the last chapter to be drafted. Though it concludes with the Roderick O'Connor skit, the first passage actually written for the *Wake* in 1923, most of its segments were written between 1935 and 1938. This is true even though we find preparations for both the Norwegian Captain's tale and the tale of How Buckley Shot the Russian General in the "Scribbledehobble" notebook, or VI.A, under what may be one of the earliest of Joyce's notetaking categories: "THE SISTERS."³ I should add that Buckley gets considerable play in another early notebook⁴ and that the theme insinuated itself throughout the developing text. No surprise, therefore, that, by 1936, after the experience of drafting and revising and even publishing the bulk of the book, Joyce was able to string II.3's episodes

together smoothly and with system, pausing only to assemble the interludes that now give it its dramatic unity.

For such a complicated and diverse unit, chapter II.3 has a remarkably clear structure. Three narrative sequences, each containing three movements plus a ricorso, develop the rise and fall of the city-man, HCE, whose story is terminated in the portrait of the Last High King of all Ireland, Roderick O'Connor drinking himself insensible on the leavings in the bottoms of his departing guests' glasses. Tried in the court of his conscience and of public opinion, judged by what amounts to the male horde, he falls victim to the poison he professionally dispenses in a mini-Götterdämmerung. The major segments of this episodic development take us from the arrival and taming of the Viking invader to the oedipal attack on the unwary wild goose, a Russian General in the Crimean war, to the trial and conviction of the decadent pub keeper and finally to his collapse or capitulation. Between these sequences, or scenes, we find interludes designed as transitions but carrying each its own freight of dramatic material. I have called the third episode a trial, but in point of fact, the whole chapter is the trial; the third segment simply underscores the existence of what, from our present perspective, is a splendid and disturbing mock-legal development. In fact, that segment, following as it does HCE's attempt at self-exoneration, is really little more than the pub-client jury's verdict followed by a post-trial celebration or a post-pub-closing rout (this last is strikingly similar to the spectacular verbal fireworks with which "Oxen of the Sun" ends, an outrageous polylogue in which unattributed scraps of discourse are flung helter skelter in the face of the unwary reader).

What I am calling the trial occupies the body of the chapter in which HCE, passive but attentive, listens as the muffled voices of his clients present the evidence of his rise and fall, softening him up for his defense which leads to his ultimate (if ambiguous) confession: "Guilty but fellows culpows!" (FW 363.20). On the one hand, the scandalous narratives recounted either to or by the drunken pub clients lay bare the roots of HCE's troubles in the envy of the masses as well as in his own lapses. In a sense this makes HCE's confession and conviction inevitable. The form taken by his superficially innocent address to his silent clients is what turns his very words into a crime. On the other hand, since all of what happens in this chapter happens within the mind of the sleeper in his pub-keeping persona, it is through the recasting of his life story in historical terms that HCE comes to recognize and reveal his decadent or criminal leanings and to bring on and celebrate his own destruction in the court of his conscience.

Viewed from a viconian perspective within the context of Book II's four chapters, chapter II.3 marks the third and terminal phase of a cycle, the age of the people. Like other chapters, it constitutes a four-part cycle in its own right and is composed of a sequence of mini-cycles. Thus, within the larger structure of the chapter, the age of the heroes and gods is followed by the age of the kings and priests then, with the verdict, the age of the demos capable of unsettling a leader. Let's zoom in now on the role of the legal system, that flower of civilization, at the moment of its triumph and demise. To do so, I propose to focus on the surface, the liminal, and the subliminal procedures of the passage we may call the legal crux.

HCE's defense, properly speaking, is less a major episode than a transition between episodes. Butt and Taff's comic television dialogue has reenacted the destruction of the Russian General, a transplanted Irish leader, caught with his pants down by an Irish mercenary soldier. The projected murder of the father figure has been purged by the sons' reenactment in the context of a simple natural act (one recalls Noah's nakedness revealed to his

sons). The General, though wearing the enemy's uniform, is guilty of little more than defecation. According to Butt/Buckley, however, he has offended Ireland by wiping himself with a sod of turf. In practical pub terms, the destruction of the authority figure by a simple soldier leaves authority in the shape of the pubkeeper, HCE, vulnerable to the mob action of his clients.

Fittingly, while the tale was being told, HCE has been out back relaxing and/or relieving himself. He returns, seemingly unaware of the animus gradually building in the minds of his increasingly inebriated clientele. Relieved indeed, and perhaps eager to fill the silence left after the completion of the tale, he bears witness to his recent experience, holding forth in the first of his two set-piece monologues. Though we are told it is the pubkeeper who speaks, his discourse is in a cultural register that is both out of character and inappropriate to his audience, but more about that later.

In its earliest version the passage in question begins: "— That is true, the landlord assented[,] of more than one of us. I have just, let us praise, been reading in a book with illustrative plates and whilst I have been turning over the leaves etceteras on the lavatory offer, when I am contemplating myself I sometimes am cadging hapsnots of distant renations in my behind scenes at no spacial time processly about where in fact I'm big altogether."⁵ This brief sketch was of course almost immediately elaborated upon, but, before we examine the curiously aestheticizing overlay, we might note that, already in this primitive version, HCE, standing behind his bar, is at once recognizing the justice of Butt/Buckley's violence and admitting his own complicity in an act reminiscent of the general's. He admits to having just returned from the lavatory where, while reading a (pornographic) book, he defecated and perhaps, after self-contemplation, masturbated. The surface of these remarks is far more innocent, however: a contribution to the pub small talk that would seem designed to make him one of the crowd.

The "landlord" of the first version was quickly transformed into a more ominous and imposing figure, someone out of the Egyptian *Book of the Dead* perhaps: the "wellnourished one, lord of the seven days, overlord of sats and suns [see Saturdays and Sundays], who [like some Egyptian death deity] keeps watch in Khummer-Phett, whose spouse is Anlivphs, the dog's bladder, warmer of his couch" (FDV 187). More importantly, given the decadent era over which he presides, he says he has been reading a "surprised book with expurgative plates," a censored pornographic volume capable of arousing his "warmest veneration" [veneration cum venereal erection]. Even on the surface of it, this Bloomish behavior smells of mild irregularity. But such a surface would not be disturbing to a crowd of male roisterers who have just told a scatological tale.

Beyond that, and paradoxically, what he says confirms his continuing sexual potency and could serve in the tribal culture of the pub to protect his leadership role. BUT ... the fact remains that, in terms of the decadent cultural moment, what incriminates HCE is the specific text he has been reading: "the wordcraft of this early woodcutter, Mr. Aubey Birdsly," or that famously banned work of polymorphous perversity, Beardsley's *Venus and Tannhauser* or *Under the Hill*. That elaborately illustrated book was first published serially in a periodical with which Joyce was familiar, Arthur Symons' short-lived *Savoy* (1896).

As the author of a banned work himself, and as one currently outdoing his own previous outrages, Joyce, though himself no aesthete, is turning his fallen creature into an Oscar Wilde/Aubrey Beardsley clone. I would suggest that it is the suspect sexuality as much as the literary preferences exhibited here that will bring down on the pubkeeper's head the ire of his twelve clients. It is the trial of Oscar Wilde, a figure who shadows HCE and his

crime throughout the *Wake*, that quite appropriately colors this passage as it does the version of HCE's crime developed in chapter I.2 (33.23)⁶ and even the self-puffery of HCE's "Amtsadam, sir" monologue in III.3. Though somewhat less specific, there are also in this first draft echoes of Wilde's sodomitic behavior and perverse insistence on self-incrimination. See HCE's reference to the sort of trench warfare that involves his pleasure with the "loudest report [fart] of [his] battery parts" (FDV 188).

As the most famous morals trial of the 1890's, Wilde's agon vies with the trials of *Ulysses*, easily the most famous literary morals trial of the 30's. Further, when he fills out his sentence with the words "enlivened by the natural sins before me, a wake or so hence" (FDV 187), HCE brings into play the very text to which his words contribute. Note that, though in this paragraph we are not concerned with the full particulars of HCE's crime, the next paragraph fills in the missing details, citing the "dewfold song of the naughtingels [nightingales/naughtygirls] (Alys, Alys, allo!)" and the "shamefeast (Shown shown! Sheme sheme!)" (FDV 188). These refer of course to the temptresses and the witnesses in the woods of Phoenix park. Significantly, the voices are delivered over the radio as a counter to the blandness of HCE's semi-confession. It is through the radio, acting as a prosecuting attorney or a counter witness, that HCE is finally brought to his most transparently incriminating paragraph on what is now FW 363-366. The latter begins in the revised first draft with the plea "Guilty!" to which he added, "Fellow's culpas" (FDV 194) or guilty but of a guilt shared with the other fellow, i.e. guilty of sodomy. This passage is in an important sense the corollary to ALP's Letter. Indeed it covers much the same ground with similarly ambiguous, if not disastrous, results, containing in its earliest version statements like "Though I might have sold my hot peas after theatres from my precurious position and though I could have emptied a pan of backslop down grating . . . I am ever culpable of unlifting upfallen girls . . . I'll tell croon prosecutors thides of marse makes a good dayle to be shat at, fall stuff" (FDV 194-195). Whether or not the Gladstonian defense can work, the appeal to the crown prosecutors is telling.

It is perhaps worth our while to cite at length from the revised version of the key first-draft paragraph to show how far HCE goes in incriminating himself and his author in natural and unnatural literary practices and in the aura of decay we associate with the *fin de siècle*:

I have just (let us suppraise) been reading in a (suppressed) book—it is notwithstanding by meassures long and limited—the latterpress is eminently legligible and the paper, so he eagerly seized upon, has scarsely been buttered in works of previous publicity wholebeit in keener notcase would I turf aside for pastureuration. Packen paper paineth whomto is sacred the scripted sign. Who straps it scraps it that might, if ashed, have healped [see ALP's Letter as implied by the spelling of "healped"]. Enough, however, have I read of it, like my good bedst friend [ALP again?], to augur in the hurry of the times that it will cocommend the widest circulation and a reputation coextensive with its merits when intrusted into safe and pious hands upon so edifying a mission as it, I can see, as is his. It his ambullished with expurgative plates, replete in information and accampaigning the action passiom, slopbang, whizzcrash, boomarattling from burst to past, as I have just been seeing, with my warmest venerections, of a timmersome townside upthecountrylifer, (Guard place the town!) allthose everwhalmed upon that preposterous blank seat [the first clear reference to a mallarméen theme, the poet's white page being compared to a toilet seat⁷], before the wordcraft of this early woodcutter, a master of vignettiennes [a second reference to Mallarmé, the wordsmith, combined with one to Beardsley] and our finest grobsmid [see Beardsley's black-on-white prints but also the marks on Mallarmé's dice] among all their orefices, (and,

shukar in chowdar, so splunderdly English!) Mr Aubeyron [note the presence of Shakespeare's fairy king and Byron] Birdslay . . . Bismillafoutties. [At this point Joyce introduces the Arabian Nights theme which early on in the notes was associated with perversion.⁸ He proceeds then to reenforce the mallarméen theme with a clear reference to the "Toss of the Dice" or "Un coup de dès." The following sentence constitutes the spine of that poem: "Un coup de dès jamais n'abolera le hasard."] But the hasard⁹ you asks is justly ever behind his meddle throw! . . . It is that something, awe, aurorbean in that fellow, hamid and damid, (did he have but Hugh de Brassey's [by this time the literary allusions have become almost too rich to account for here] beardslie his wear mine of ancient guised) which *comequeers*¹⁰ this anywhat perssian which we, owe, realisinus with purups a dard of pene. There is among others pleasons whom I love and which are favourests to mind, one which I have pushed my finker in for the movement and, but for my sealring is none to hand I swear, she is highly catatheristic and there is another which I have fombly fongered freequuntly and, when my signet [read here a reference to the mallarméen poet/swan or "cygne" but there are already hints at another mallarméen poem/trope, that of the two nymphs unlaced by the famous faun] is on sign again I swear, she is deeply sangnificant [what follows refers directly to the toss of the dice]. *Culpo de Dido!* Ars we say in the classies. *Kunstful*, we others said. What ravening shadow! What dovely line! [Here the Noah theme of the two birds released from the ark meshes with the burgeoning faun theme with its fair and dark temptations. These are quickly joined in the next sentence with an allusion to the lavish edition and the Arabian tale.] Not the king of this age could richlier eyefeast in oreillental longuardness and alternate nightjoys of a thousand kinds but one kind. (FW 356.19-357.19)

I could go on, but perhaps this sample is rich enough, interlacing as it does an incriminating package of themes: the naked, hence vulnerable Noah, the guilty voyeuristic book lover, the incriminating letter, the censored Beardsley text with its polymorphous perversity and its elaborately erotic prints, the fine edition of a book that resembles in this Mallarmé's difficult and precious poem about the wreck of a life on the reef of its impossible striving, Oscar Wilde-like inclinations, and the "Thousand and One Nights" with its proliferating perversities. As I have suggested, these rather openly declared themes are appropriate to the viconian moment, but they are singularly inappropriate to the persona of a provincial pubkeeper and even more so to his audience of inebriated blue collar drinkers. In short, HCE is stripping himself of his social credentials as he proceeds in the remainder of the paragraph to confirm the worst of the rumors about him.

Joyce does not stop there. The themes I have only begun to examine are powerfully reenforced by the evocative diction that transpierces and overrides the punriddled language. In a text so heavily experimental, one would not expect to find passages displaying attitudinal dynamics appropriate to more conventional character-oriented texts. Besides, it is generally agreed that the *Wake* does not develop character or situation in a conventional manner. HCE and his spin-off family are individualized only in the most abstract way; they stand in for a generalized humanity, and their situation is universal. However, I would assert that, at certain moments of particular poignancy, even through the scrim of the universalizing vision, the dream people take on complex psychological dimensions. Those dimensions pricked out as they are in the polyvalent fabric of intertextual allusions, meld with the parodic mocking substance to achieve startlingly immediate effects.

I further maintain that this particular juridical moment is a case in point, following as it does on the heels of the music-hall turn by Butt and Taff in

which paternal authority is mocked and brought low. True, the voice we hear belongs to no imaginable individual. It is in fact a patchwork of allusion and mimesis, but then the formulaic has always had a powerful mimetic potential. It helps of course that that patchwork has an inner thematic unity, that it is coherent and consistent in its reference to high cultural decadence, and that it is consistent, though hardly monotonous in its tonal register.

On the one hand, HCE, the pubkeeper cleansed of his excremental burden and hence relieved, may be seen as speaking in arcane literary tongues. So far as his clients are concerned, he could easily be a pentecostal vehicle of sorts. What he says will have one set of meanings for *them*. That is, they might read the regular fellow into his excremental and erotic utterance. For a jury of twelve, presumably straightlaced citizens, the meaning would be different, perhaps even properly pompous. For the *Wake's* informed readership, attuned to the literary references as well as to his isolated situation, desperation may be read between his celebratory lines. It is on the latter level that the beleaguered pubkeeper exhibits his most wildean traits, his masochistic need to face down his accusers and to receive his punishment just as Wilde did when he answered the accusations of his lover's father. With Wilde he clearly shares literary tastes and a devotion to letters. That in itself incriminates him in this context. Like Wilde he is guilty of precisely the crime, the love that dares not name its name, that will find the least sympathy within the macho context of the pub. Like Wilde, he is incapable of concealing his tastes and appetites. His defense is consequently bound to be perceived as the confession, which it ultimately is. For, again like Wilde, by this point in his career, he is a shell of his former heroic self, tired and in a perversely courageous mood, craving punishment and destruction.

But HCE, the everyman, is tried and condemned in and by his dreams rather than in the real world. In this he resembles most closely the much-tried Leopold Bloom in "Circe." Then too, as I have tried to prove elsewhere,¹¹ he resembles Joyce as the writing protagonist of this, his most profoundly confessional text. That is, like Joyce, he is working out through the recasting of his dreamwork some of his psychic injuries. But that is a topic for another sort of study.

Whether or not we can locate HCE's voice in any specific register, this is clearly the utterance of a decadent (that is, *fin de siècle*) mind-set. As such it can be expected to generate attitudes consistent with that sort of moment in the minds of its projected audiences. Clearly, a dedicated aesthete would find him/herself more readily attuned to its praise of finely wrought objects than would the man in the street. But the reader is neither the one nor the other, but rather someone attuned to the overall texture and decorum of the *Wake*, at least subliminally aware that HCE is speaking in that character and against the grain of his professional persona, if not his social status. We may expect those awarenesses to color her/his responses. The reader is also, though perhaps without being aware of it, situated in the seat of judgement, both in moral terms and in literary terms. Under these circumstances, our attitude toward the spoken text can hardly be anything but dynamically unstable oscillating between derision and pathos.

All of this leaves us with some questions for which our answers will be tentative at best. Why has Joyce, in both *Ulysses* and *Finnegans Wake* chosen to nest legal institutional behavior in the context of the irrational? Why is it in relation to the benighted and the subconscious, and in contexts that are stylistically subversive and radically anti-narrative that we find portrayals of legal or pseudo legal procedures? It cannot be an accident that the person

with the greatest faith in the efficacy of the law is the lunatic Denis Breen, that Bloom is tried and the patriot executed in the boozy murk of Barney Kiernan's pub presided over by the decaying hulk of Irish nationalism, that Bloom is later tried and found wanting on the stage of his subconscious in the magic and farcical world presided over by Bella Cohen. It should follow that the centrality, the monumentality of the most emphatically legal chapter of the *Wake* is deliberate. In the depths of the night HCE, that pillar of society (pubkeepers are professional teetotallers), finds himself judged, not only by 12 drunken peers but by his own weakened conscience.

What are these texts telling us? Well, for one thing, the law, the system of controls it constitutes, the limits it places on our freedom of action are all both alien and essential to the carnivalized universe of the night, to the seat of impulses and instincts (we may recall the legal presence that haunts and is unsettled by Ben Jonson in what may be his carnivalesque masterpiece, *Bartholemew Fair*, a text physically dominated, queened over, by the pig woman. We should also not forget the famous and climactic trial in Carroll's first Alice book. In his notes for *Ulysses* Joyce was quite explicit about one thing: Man [or male order] is synonymous with the DAY, woman with the NIGHT). I would suggest that the paternalistic control imposed by legal systems is strictly a daytime or solar phenomenon and that in the timeless/spaceless universe of the unconscious, of the instinctual, or the Mothers, it can only be a shadow presence. In practice it is a template for order subject to the bombardment of the surrounding and deforming medium, the vital fluids it is meant to dam and channel. It is perhaps for this reason and in desperation, when faced with absolute dissolution, that the male presence places the legal institution so closely linked to Freud's superego and the parental identity in the place of maximum risk. It is there paradoxically that the legal system triumphs at the moment of its greatest defeat, the timeless moment when victory is without meaning. In chapter II.3 as in "Circe" Mankind is appropriately under the hill, having made its toss of the dice, performed its sacrifice to its cannibal muse. There is no place to go but up and no way to get there but by swimming through the healing liquid that has brought it so low.

In relation to the enforced legal topic of this paper, it is remarkable that during the first of his two frontal or voiced appearances HCE achieves a degree of complexity and (albeit comic) poignancy denied him elsewhere in this novel. We may of course ascribe this to the moment in the "heroic" career, at the edge of the ascent of man the individual. But not entirely coincidentally, it is also the moment when HCE takes his/the stand to reveal precisely the vulnerability that characterizes his condition in the whole text. That is, as witness in his own defense, as his own attorney so to speak, he reveals himself to be all too human in a book that treats humanity as a generalized quality. Typically, even this is a paradox, if not a conundrum, for HCE at this point represents most fully the condition of humankind attached to its own frailty, fear and guilt. Consequently, the specified but ultimately indeterminate voice becomes momentarily that of the reader centered by the nightmare situation into which the language has cast him (or perhaps her). We are each and all of us attuned to the condition of the "pilsener had the baar" (FW 313.14-15). This too will pass ... and it does.

It seems only fair to close this law-oriented excursus with two correlative passages from the last of Book III's four chapters. The scene is the Porter family house where we meet each member of the Earwicker-Porter family in turn. The narrative thread leads us past the charwoman, Kate, who has been shocked by the apparition of a tipsy HCE tiptoeing up the stairs. HCE gestures to the frightened woman "holding up his fingerhals . . . for her to

whisht, you sowbelly . . . swering her to silence and coort" (FW 557.9-12). This encounter is followed by a clear evocation of the now dispersed jurors and their legal "tion" jargon. I will cite only a few lines from the first draft to indicate how the action of II.3 is echoed in the ricorso chapter of Book III:

every [juridical] night while twelve good men & true in their numbered habitations tried him in their minds & found him guilty on the imputations of fornication minus copulation or if twere not so, of some deretane denudation with intent to excitation of firearmed forces of the nation but with family pressures as mitigation and in any case he being worthy of remuneration for his having displayed so much toleration reprobate and all as he was in respects to his high station . . . (JJA 60: 52 and 80; FDV 249)

The preceding is now found on page 557. In the same transitional chapter we find another curious cluster which I mention only in passing to suggest how much remains to be done with the legal system of the *Wake*. The cluster is introduced by what appears to be young Shem mumbling disjointed jargon in his sleep. It is cast in dialogue form and mingles Shem's voice with those of his anxious parents:

—He is quieter now.
—Legalentitled. Accesstopartnuzz. Notwildebeestsch. Byrightfoaptz. Twainbeonerflsh. Haveandholdpp.
—S! Let us go. Make a noise. Slee ... (FW 571.27-30)

We may recall the words Stephen Dedalus mumbles from his stupor in "Circe" and Bloom's comical interpretation. But here we seem to be overhearing shreds of Shemish nightmare. This is of course a minor instance, but the very next page introduces two contrasting legal situations. The first of these clearly transports us to the universe of the Roman decadence where the "procurator Interrogarius Mealterum presents us this proposer" (FW 572.19-20). What follows is a crabbed page and a half of documentation cataloguing the hilariously perverse behavior of one "Honuphrius . . . a concupiscent exservicemajor who makes dishonest propositions to all" (FW 572.21-22). The passage ends with the question, "Has he hegemony and shall she submit" (FW 573.32). This Roman legal interlude is followed by two very solid pages on financial dealings that could have taken place in our own late-lamented '80s. The passage begins, "[t]his, lay readers and gentlemen, is perhaps the commonest of all cases arising out of umbrella history in connection with the wood industries in our courts of litigation. D'Oyly Owens holds (though Finn Magnusson of himself holds also) that so long as there is a joint deposit account in the two names a mutual obligation is posited. Owens cites Brerfuchs and Warren, a foreign firm, since disseized, registered as Tangos, Limited, for the sale of certain proprietary articles . . ." (FW 573.35-574.06). I recommend these passages to anyone with a legal bent who still fears to enter the halls of Joyce's nightword and has retained a sense of humor. Clearly, by this time we have emerged half-way from the verbal labyrinth into the confusion that dogs our days. Such in brief and at length is what I have discovered when seeking my own words on rejoyceandthelaw.

Notes

1. See David Hayman, *The Wake in Transit* (Ithaca: Cornell UP, 1990) 155-99.
2. For a fuller treatment see Hayman 114-15 and *passim*; *The James Joyce Archive* (New York: Garland, 1978) 29: 256.

3. *JJA* 28: 23.
4. VI.B.3, in *JJA* 29: 221.
5. David Hayman, ed., *A First-Draft Version of Finnegans Wake* (Austin: U of Texas P, 1963) 187-88; hereafter cited as *FDV*. I find on checking that this page was unaccountably omitted from *The James Joyce Archive*. Like all first drafts, this is an approximation, since Joyce's revisions often followed too quickly to justify the unrevised version of any part of a passage as stable. It should be noted that the revision of this particular passage has a glamour of its own, a quality marked by the unusual lettering and of additions and by the fact that this paragraph plus the following one with its reflections of the "Willingdone" episode from chapter I.1 were originally slated to interrupt the action of the Butt and Taff skit. The rationale for all of this and for the excitement this passage apparently aroused in Joyce as he composed it is still obscure. I plan to study it in a later paper.
6. HCE in his decadence is repeatedly associated with Wilde. On page 33, the reference is to a description of the poet as a "great white catterpillar." Significantly, this phrase is included in one of the earliest sequences in the "Scribbledehobble" notebook or VI.A. Under the heading "AN ENCOUNTER" we read "Barber's story (1001 N[ights]) self & onanism: own booby trap: Gigantic: great white catterpillar [sis]: dear Pater. Pater kissed O[scar] W[ilde]'s hand: Vyvyan: rented (ricaf[?]) Oscar = bugger: scarlet thing of Dvojark [sic]" (*JJA* 28: 33).
7. In presenting this argument, I seem to have come full circle back to my earliest book, *Joyce et Mallarmes* (Paris: Les Lettres Modernes, 1956). There, I argue (II: 70-73) that this passage contains the most overt reference to Mallarmé's poem and perhaps I overstate the case for a fundamental influence, though not the case for a crucial parallel.
8. See the first note under "AN ENCOUNTER," where Joyce explores this theme; *JJA* 28: 33: "Barber's story (1001 N.) self & onanism."
9. Joyce carefully uses the French spelling here.
10. My italics.
11. See Hayman *The Wake in Transit* 139-254; "I Think Her Pretty" in *Joyce Studies Annual*, ed. Thomas Staley (Austin: U of Texas P, 1990) 43-60.